

# **Exhibit C**

**Carey Miller**

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**From:** Carey Miller  
**Sent:** Wednesday, June 30, 2021 12:46 PM  
**To:** Cross, David D.; Bryan Tyson; Kaiser, Mary; Brogan, Eileen M.; Ascarrunz, Veronica; Hedgecock, Lyle F.; Conaway, Jenna B.; cheryl.ringer@fultoncountygga.gov; Vincent Russo; Alexander Denton; Jonathan Crumly; Dal Burton; Diane LaRoss; Bryan Jacoutot; Loree Anne Paradise; Bruce Brown; Rob McGuire; Cary Ichter; Halsey G. Knapp, Jr.; Adam M. Sparks; Manoso, Robert W.; Josh Belinfante; Melanie Johnson; Javier Pico-Prats; Rashmi Ahuja; Drina Miller  
**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Allow me to clarify, you produced a single nine-page email in advance of the 2020 PI Hearing and have produced zero documents in response to our discovery requests since.

To recap: You asked for statistics regarding our proposed search terms relative to the original terms you proposed, we provided them. You asked our anticipated timeline, we provided it. You asked us to run new search terms expanding them again, we did so. You asked for an explanation on our opposition to your motion, I provided a lengthy explanation in addition to your filed response.

Conversely, we informed you that “[i]n your responses to our RFPs on January 11, 2021, you indicated you would produce documents in response to” the requests enumerated below. We further asked you to “[p]lease let us know when we can expect documents or whether your clients have not located any responsive documents so we can proceed with scheduling the Plaintiffs depositions as we discussed a few weeks ago.” In response, you have accused me of false statements and misstatements while avoiding any actual response whatsoever.

**Carey A. Miller** | 404.856.3286 | [ROBBINS](#)

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**From:** Cross, David D. [mailto:DCross@mofo.com]  
**Sent:** Wednesday, June 30, 2021 12:37 PM  
**To:** Carey Miller <carey.miller@robbinsfirm.com>; Bryan Tyson <btyson@taylorenghish.com>; Kaiser, Mary <MKaiser@mofo.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountygga.gov; Vincent Russo <vrusso@robbinsfirm.com>; Alexander Denton <Alexander.Denton@robbinsfirm.com>; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucebrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Cichter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Manoso, Robert W. <RManoso@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>  
**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

I don't know what your first paragraph means. You keep saying we've produced only a single nine page email. That's false. It's not even remotely accurate. Why you feel the need to make that false statement is beyond me, but it's not productive. Again, we're happy to discuss any specific concerns regarding our production. There has been no such meet and confer. In fact, if you genuinely believe that we've produced only a single nine-page email, then you need to educate yourself on the facts before we could even have a productive dialogue.

**From:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>

**Date:** Wednesday, Jun 30, 2021, 12:31 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>, Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

## External Email

I think you missed our conference last week. And next time you accuse me of false statements or misstatements, please actually read the message you're referring to.

If you would like to participate in a conference on establishing a discovery scope that is both proportional to the needs of the case and consistent with the Court's order for an "abbreviated" schedule, let me know.

**Carey A. Miller** | 404.856.3286 | **ROBBINS**

**From:** Cross, David D. [<mailto:DCross@mofo.com>]

**Sent:** Wednesday, June 30, 2021 12:27 PM

**To:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

I don't know what your last paragraph means. And the parties haven't conferred on any dispute regarding our production, so a joint discovery statement would be improper. This is the first I've heard that you have an issue that might warrant relief from the Court, and I don't know what that issue is. Misstating the facts serves no one and only impedes productive dialogue. Again, if you have specific concerns, please identify them - and please stop misrepresenting the facts.

To your first point, it defies logic - and math. Whether your client engages 10 reviewers or 30 reviewers, or even 100, the cost is essentially the same. The cost of reviewing each document does not materially change based on the number of

reviewers. All that is accomplished by having fewer reviewers is dragging out the review and completion of your production. So please let us know if you will engage the same number of reviewers as you did for Fair Fight, which you've repeatedly represented includes claims similar to ours.

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**From:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>

**Date:** Wednesday, Jun 30, 2021, 12:18 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>, Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

## External Email

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David,

Thank you for responding to the explanation you requested of me, but I must correct your false statement. I said:

“In **Fair Fight**, completing review of those emails alone, with the additional expense of nearly 30 contract attorneys dedicated solely to document review.” See 6.21.2021 Email from CM to DC, in this chain below (emphasis added).

Of course, engaging those reviewers in *Fair Fight* came at a significant expense to our client. We will not do the same here as the discovery you are insisting upon is unduly burdensome and overly broad relative to the needs of this case, particularly in light of the jurisdictional questions at issue here. And regardless of who is doing the review (contract or otherwise), the significant expense of this process remains.

Given that you do not seem inclined to engage in the substance of the breadth issue nor offer any additional response on your clients' production of documents, we will prepare our portion of a joint discovery statement on your clients' nonfeasance in discovery and the breadth issue.

Carey A. Miller | 404.856.3286 | **ROBBINS**

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**From:** Cross, David D. [<mailto:DCross@mofo.com>]

**Sent:** Wednesday, June 30, 2021 11:52 AM

**To:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton

<[dburton@taylorenglish.com](mailto:dburton@taylorenglish.com)>; Diane LaRoss <[dlaross@taylorenglish.com](mailto:dlaross@taylorenglish.com)>; Bryan Jacoutot <[bjacoutot@taylorenglish.com](mailto:bjacoutot@taylorenglish.com)>; Loree Anne Paradise <[lparadise@taylorenglish.com](mailto:lparadise@taylorenglish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@IchterDavis.com](mailto:Clichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenglish.com](mailto:rahuja@taylorenglish.com)>; Drina Miller <[dmiller@taylorenglish.com](mailto:dmiller@taylorenglish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

We'll agree to your revised search terms. Please proceed with review and production using the search terms you sent us.

Regarding production timing, your estimate isn't consistent with what you previously told us or the facts of how a review like this operates. You told us before you had 30 reviewers. So the review should take a third of the time that only ten reviewers would take, which is the number you used for your estimate. Also, responsiveness review typically runs only a minute or two per document. None average five minutes or even close to that. So the review should move far faster than you estimated in your email. Please let us know when you will begin rolling your production and expect to complete the production based upon an estimate that's consistent with the facts.

To your last paragraph, I won't respond to false statements. If you'd like to have a good faith dialogue on that issue, let us know.

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**From:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>

**Date:** Wednesday, Jun 30, 2021, 11:40 AM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Bryan Tyson <[btyson@taylorenglish.com](mailto:btyson@taylorenglish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountygga.gov](mailto:cheryl.ringer@fultoncountygga.gov) <[cheryl.ringer@fultoncountygga.gov](mailto:cheryl.ringer@fultoncountygga.gov)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenglish.com](mailto:jcrumly@taylorenglish.com)>, Dal Burton <[dburton@taylorenglish.com](mailto:dburton@taylorenglish.com)>, Diane LaRoss <[dlaross@taylorenglish.com](mailto:dlaross@taylorenglish.com)>, Bryan Jacoutot <[bjacoutot@taylorenglish.com](mailto:bjacoutot@taylorenglish.com)>, Loree Anne Paradise <[lparadise@taylorenglish.com](mailto:lparadise@taylorenglish.com)>, Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[Clichter@IchterDavis.com](mailto:Clichter@IchterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenglish.com](mailto:rahuja@taylorenglish.com)>, Drina Miller <[dmiller@taylorenglish.com](mailto:dmiller@taylorenglish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

## External Email

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Document hits with family. Total additional new documents ID'd is 26,701.

While I'm running your various searches and potentially expanding the universe of documents, any response on whether your clients will produce anything other than that 9-page email thread?

Carey A. Miller | 404.856.3286 | **ROBBINS**

**From:** Cross, David D. [<mailto:DCross@mofo.com>]

**Sent:** Wednesday, June 30, 2021 11:35 AM

**To:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Are these unique hits for each of those searches?

**From:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>

**Date:** Wednesday, Jun 30, 2021, 11:17 AM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>, Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

## External Email

David,


As promised, we have modified the two search terms you requested to review numbers.

Alternative Search 7 returned an additional 7,409 documents, 4,407 using w/10 and 11,816 using w/25:

"((election\* OR vot\*) AND (review\* OR analy\* OR examin\* OR evaluat\* OR stud\* OR assess\* OR test\*)) w/25 (error\* OR malfunction\* OR broke\* OR break\* OR discrepant\* OR glitch\* OR "switch\* votes" OR hack\* OR compromise\* OR breach\* OR provisional OR "express poll" OR "poll pad" OR incorrect OR wrong)"

Alternative Search 8 returned an additional 37,454 documents, 33,043 using w/10 and 70,497 using w/25:

"((transfer\* OR shar\* OR send\* OR reus\* OR repurpose\*) w/25 (media OR air-gap OR airgap OR server\* OR data OR USB\* OR thumb\* OR disc\* OR disk\* OR CD\* OR DVD\*))"

Carey A. Miller | 404.856.3286 | 

**From:** Carey Miller

**Sent:** Tuesday, June 29, 2021 11:27 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lpardise@taylorenghish.com](mailto:lpardise@taylorenghish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

David,

Apologies for the delayed response. As I mentioned, I was out of the office traveling this afternoon.

We opposed your motion for a few different reasons, as explained in our response, and I do not believe there is anything inconsistent in our position. In any event, I will provide a bit more explanation here since you have asked. First, you failed to seek any conference on the issue and chose to avoid preparing a joint discovery statement as Judge Totenberg's standing order requires. In fact, your motion came as we were in the midst of a discovery dispute conference pursuant to Judge Totenberg's standing order that you did not attend—a conference that I believe was largely productive. Setting all else aside, that's just simply no way to practice law though it has unfortunately become the norm in this case.

Second, Judge Totenberg recognized the "volume of resources" dedicated to this case in determining an *abbreviated* discovery schedule was appropriate. [Doc. 1088]. We believe our efforts to limit the search scope is consistent with that order. As it stands now, we are staring down the barrel of increasing that volume of resources exponentially to pursue discovery beyond that which is proportional to the needs of this case.

Third, in the same order, Judge Totenberg suggested Plaintiffs should consider any requisite tailoring or cutting back of your claims in light of 2020 election litigation. Plaintiffs have not done so. Consequently, we continue to maintain that this exercise is seeking to force an undue expense on our clients to pursue discovery for a claim on which we maintain Plaintiffs lack standing—an issue the Court itself has wrestled with.

Fourth, even if the claims were otherwise viable, Dr. Halderman already possesses things necessary to compile his report. Namely, an image of the KSU server, GEMS databases, a full suite of BMD equipment (except for the printer you chose not to take), and now 2020 election packages (an item absent from our prior discovery dispute conference that you raised in the hearing with the Court, nonetheless we promptly provided all our clients possessed). We fail to see how emails could possibly be the remaining item on which Dr. Halderman's report hinges. Except to the extent you will utilize an email to explain a new "vulnerability" dangerous as the hack of a nuclear weapons system or an airplane malfunction that killed hundreds, but which, in any event, is still insufficient to confer standing under binding Eleventh Circuit precedent.



In light of all these items, and those explained in our response, we believe the appropriate course of action would be to narrow the scope of your proposed searches and requests, rather than extending the schedule to allow for a fishing expedition. Should you agree that the volume of documents we're discussing is beyond the scope of Rule 26 and inconsistent with the Judge's Order seeking an abbreviated schedule, perhaps we can then revisit the issue of extending the schedule for a reasonable period to conduct reasonable discovery. Should you prefer to withdraw your motion and we go the route Judge Totenberg's scheduling order requires, this email chain largely encapsulates our position and we will be prepared to file a joint discovery statement on scope of discovery relative to the abbreviated schedule. Otherwise, we will await Judge Totenberg's Order on your motion.

In the meantime, we await your response as to when your clients will produce any discovery other than a single nine-page email thread.

Thanks

Carey A. Miller | 404.856.3286 | **ROBBINS**

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**From:** Cross, David D. [<mailto:DCross@mofo.com>]

**Sent:** Tuesday, June 29, 2021 2:55 PM

**To:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Given your anticipated timing for production, what is your basis for opposing the extension we have requested? You're saying you're not going to be able to complete your document production anywhere close to the current schedule even if we were to agree to your revised search terms. In fact, you're saying you can't even complete your production within the extended schedule we requested unless I'm misunderstanding something here. You're estimating five months to do so. Please explain this.

---

**From:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>

**Date:** Tuesday, Jun 29, 2021, 2:18 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>



**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

## External Email

David, response to your questions below:

- I have reviewed a sampling of the emails/attachments which were captured under the terms you originally proposed but not the terms per our modification. I have no reason to believe the revisions have eliminated responsive documents. Instead, it is apparent the narrowed terms are still capturing many non-responsive documents.
- On the alternative searches, we are not inclined to move backwards here. The fact remains that even as it stands now the number of documents is very large and we believe the burden/expense of reviewing/producing such a significant number of documents (in addition to the project packages and BMD equipment you have already obtained) is not proportional to needs of this case. I realize we are unlikely to agree on that over email, but I want to make our position clear. Nonetheless, I will ask our vendor to run the searches, I am traveling this afternoon though so it will likely be tomorrow before have something back to you.
- Relatedly, on timeline, as I mentioned before the number of documents leads me to believe there would be several months of rolling productions here. To ballpark it, assuming 5 minutes of review per document, we're talking about 8,000 attorney hours solely for document review. Assuming ten attorneys are solely doing review in this case for 40 hours per week, we're still looking at 20 weeks or so.
- On the changes to search terms, the two sets of terms are all in the excel sheet. The only change applied from initial search to the proposed revisions not identified in the excel is what was contained in my email: time scope is 1/1/2019 to present.

Carey A. Miller | 404.856.3286 | [ROBBINS](#)

**From:** Cross, David D. [<mailto:DCross@mofo.com>]

**Sent:** Tuesday, June 29, 2021 11:10 AM

**To:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Carey -

In addition to getting back to us on the questions below today, can you also please let us know today the search result numbers if you use w/25 instead of w/10 on searches 7 and 8?

Alternative Search 7: "((election\* OR vot\*) AND (review\* OR analy\* OR examin\* OR evaluat\* OR stud\* OR assess\* OR test\*)) w/25 (error\* OR malfunction\* OR broke\* OR break\* OR discrepant\* OR glitch\* OR "switch\* votes" OR hack\* OR compromise\* OR breach\* OR provisional OR "express poll" OR "poll pad" OR incorrect OR wrong)"

Alternative Search 8: “((transfer\* OR shar\* OR send\* OR reus\* OR repurpose\*) w/25 (media OR air-gap OR airgap OR server\* OR data OR USB\* OR thumb\* OR disc\* OR disk\* OR CD\* OR DVD\*))”

Lastly, it looks like the only changes you made were to replace some AND terms with W/10. If you made additional changes, can you please identify them? We’re working to get back to you today on this.

Thanks.

---

**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Date:** Monday, Jun 28, 2021, 10:02 PM

**To:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>, Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Carey -

We’ll review and follow up. What’s your expected completion date for production with these terms?

Have you reviewed any sample sets to determine whether the revised terms are eliminating relevant/responsive documents? And do you otherwise know if they are (eg, have you identified any relevant/responsive document that you know or have reason to suspect would not be captured by the revised terms)?

Thanks.

DC

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**From:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>

**Date:** Monday, Jun 28, 2021, 9:25 PM

**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>, Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

**External Email**

Please see the attached excel document which shows the proposed limited terms in the blue columns, Plaintiffs' terms in red columns, and numbers for the two sets of terms.

Other than changes to the terms as indicated by the excel sheet, the only other alteration concerned utilizing the "Relevant Time Period" defined in your August 3, 2020 document requests and incorporated in your subsequent joint requests.

While the number of documents identified is still quite large, and will require significant time for review and production, I wanted to send these to you now before proposing any further modifications. We look forward to your response.

**Carey A. Miller** | 404.856.3286 | **ROBBINS**

**From:** Bryan Tyson [<mailto:btyson@taylorenghish.com>]

**Sent:** Thursday, June 24, 2021 3:29 PM

**To:** Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Mary,

Hope you are feeling better and we appreciate your time on the meet-and-confer yesterday afternoon. We wanted to follow up on a few points that we discussed:

1. We will provide a written response for the 30(b)(6) notice with the topics we discussed by tomorrow. We understand you will be getting back to us for clarification on the terms we raised on the call.
2. We will have proposed revised search terms to you by Monday, June 28 for further consideration.
3. When we discussed the lack of any new document productions from Curling Plaintiffs in response to our RFPs late last year, you asked us for specific responses to which we expected documents and have not received them. In your responses to our RFPs on January 11, 2021, you indicated you would produce documents in response to the following requests:
  - a. Request No. 13 (Curling)
  - b. Request No. 14 (Curling)
  - c. Request No. 15 (Curling), No. 14 (Price), and No. 13 (Schoenberg)
  - d. Request No. 16 (D. Curling), No. 15 (D. Price), and No. 14 (J. Schoenberg)
  - e. Request No. 17 (D. Curling), No. 16 (D. Price), and No. 15 (J. Schoenberg)
  - f. Request No. 18 (D. Curling), No. 17 (D. Price), and No. 16 (J. Schoenberg)
  - g. Request No. 19 (D. Curling), No. 18 (D. Price), and No. 17 (J. Schoenberg)
  - h. Request No. 20 (D. Curling), No. 19 (D. Price), and No. 18 (J. Schoenberg)

- i. Request No. 21 (D. Curling), No. 20 (D. Price), and No. 19 (J. Schoenberg)
  - j. Request No. 22 (D. Curling), No. 21 (D. Price), and No. 20 (J. Schoenberg)
  - k. Request No. 23 (D. Curling), No. 22 (D. Price), and No. 21 (J. Schoenberg)
  - l. Request No. 24 (D. Curling), No. 23 (D. Price), and No. 22 (J. Schoenberg)
  - m. Request No. 25 (D. Curling), No. 24 (D. Price), and No. 23 (J. Schoenberg)
  - n. Request No. 26 (D. Curling), No. 25 (D. Price), and No. 24 (J. Schoenberg)
  - o. Request No. 27 (D. Curling), No. 26 (D. Price), and No. 25 (J. Schoenberg)
  - p. Request No. 28 (D. Curling), No. 27 (D. Price), and No. 26 (J. Schoenberg)
  - q. Request No. 29 (D. Curling), No. 28 (D. Price), and No. 27 (J. Schoenberg)
  - r. Request No. 30 (D. Curling), No. 29 (D. Price), and No. 28 (J. Schoenberg)
  - s. Request No. 31 (D. Curling), No. 30 (D. Price), and No. 29 (J. Schoenberg)
  - t. Request No. 32 (D. Curling), No. 31 (D. Price), and No. 30 (J. Schoenberg)
4. To date, we have not received any documents responsive to any of these requests. Please let us know when we can expect documents or whether your clients have not located any responsive documents so we can proceed with scheduling the Plaintiffs depositions as we discussed a few weeks ago.
5. Finally, as we discussed, we will not be providing additional or other objections to the Fortalice subpoena.

Thanks,

Bryan

**Bryan P. Tyson**

**Taylor English Duma LLP** | 1600 Parkwood Circle, Suite 200, Atlanta, GA 30339

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**From:** Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>

**Sent:** Tuesday, June 22, 2021 12:23 PM

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**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan,

We are available at 4:00 ET tomorrow (Wednesday). Please confirm that that time works and send a dial-in for the call.

Thanks,  
Mary

## MARY KAISER

Associate | Morrison & Foerster LLP

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---

**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Sent:** Tuesday, June 22, 2021 11:14 AM

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**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan -

We'll get back to you on a time to speak tomorrow afternoon. Happy to discuss the 30b6 topics and timing then too. Please be prepared to offer a specific scope for each topic so we can have a productive discussion (if you'd like to offer that in advance, that would help), and please let us know your availability for the deposition.

Thanks.  
DC

---

**From:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>

**Date:** Tuesday, Jun 22, 2021, 4:52 AM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>; Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[CIchter@IchterDavis.com](mailto:CIchter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson

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**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

**External Email**

David,

We've talked with our team and can meet and confer on Wednesday after 3:30 or anytime on Thursday morning. Let us know if those windows work. We would also like to discuss the 30b6 notice that your team sent for the Secretary's office—the topics are far beyond what our client can adequately research and prepare a witness or witnesses for in the timeline you propose. We can discuss scope of the topics and timing at the meet and confer.

On an extension, we will not consent to an extension of the discovery schedule.

Thanks,

Bryan

**Bryan P. Tyson**

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**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Sent:** Monday, June 21, 2021 2:25 PM

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**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Carey -

When will you produce to us documents that were already produced in the fair fight case that you claim are relevant to our case?

When will you provide narrowed search terms and the hit results for each original and narrowed search term?

When will you start rolling your production? Presumably at least some (perhaps many) of the existing search terms don't have substantial hit results (to be clear, we're not conceding that any do), in which case you could review and produce those documents now (and should have before now)?

When are you available tomorrow to meet and confer on this issue?

Will you agree to an extension of the case schedule given we can't possibly meet the July 1 report deadline in ten days with no production from Defendants since before last year's PI hearing, except for the incomplete and deficient election databases we only just received (which we also need to address with you)?

DC

---

**From:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>

**Date:** Monday, Jun 21, 2021, 2:13 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>, Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

### External Email

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David,

Last fall, we produced thousands of pages of documents to you in an expedited timeframe; your clients produced nine pages of documents as I recall. I may have missed them, but I have seen no productions from your clients since. As to the terms at issue here, they hit on more than 70% of the entire email files of six of the custodians identified for the pertinent time period.

Setting that aside, perhaps I was unclear. 280,000 messages were produced in **total** in Fair Fight, ranging from claims on the number of polling locations to disparate impact VRA claims. My point was not that 280k emails produced in Fair Fight are relevant here (for the most part, they're not) but that in order to produce such a volume of documents, it will take months and presumably push out the schedule. Further, the bulk of Fair Fight productions were responsive to DRE

searches, discovery on which you have previously obtained and a claim the Fair Fight Plaintiffs withdrew in light of mootness as explained in Judge Jones's Summary Judgment orders. We continue to maintain the same should be the case here.

Finally, as to Fair Fight documents that may be relevant to your claims, those productions resulted in about 8800 documents (emails and other files) that hit on terms regarding that issue. Presumably, Dr. Halderman has already reviewed those documents in preparation for his expert report in the Fair Fight litigation, submitted before the claim was dismissed so there will be little prejudice in receiving them again.

In any event, we are running a comparison against documents produced in Fair Fight. We will produce documents we produced in fair fight that are relevant to your claims here and will produce documents following our agreement to narrowed terms. However, we do not believe this case entitles you to all discovery obtained in Fair Fight on claims your clients are not pursuing here.

Carey A. Miller | 404.856.3286 | [ROBBINS](#)

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**From:** Cross, David D. [<mailto:DCross@mofo.com>]

**Sent:** Monday, June 21, 2021 1:32 PM

**To:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Carey -

Have you deduped this collection against what you produced in the Fair Fight case? If so, how many documents does that leave to review? You won't need to re-review documents already produced in the Fair Fight case since you already decided those were relevant to "similar claims." If you haven't done this, please do it and provide the net numbers.

And please explain why you haven't already produced to us the documents you produced in the Fair Fight case, which you could and should have produced months ago. That obviously is an easy production to get out given you already provided it to plaintiffs in another case on "similar claims." Please confirm that we will receive that production by Wednesday of this week.

DC

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**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Date:** Monday, Jun 21, 2021, 1:23 PM

**To:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>,

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**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Carey -

Bryan emailed us 11 days ago with the same numbers and indicated that you would review and produce responsive documents coming out of the searches. He didn't raise any issue with the searches or with the review process he indicated then you were beginning with the documents coming out of those searches. To tell us 11 days later that you suddenly want to revamp the searches and are not even beginning to produce documents when we have expert reports due in 10 days is inappropriate and unacceptable. This should have happened weeks or months ago.

If you want to send us narrowed search terms today with the corresponding hit results for each current search and for each corresponding narrowed search, please do so. We'll consider your proposal as well as any relief we need to obtain from the Court for this continued improper delay of discovery.

DC

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**From:** Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>

**Date:** Monday, Jun 21, 2021, 1:16 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Bryan Tyson <[bytyson@taylorenghish.com](mailto:bytyson@taylorenghish.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>, Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[Clichter@IchterDavis.com](mailto:Clichter@IchterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

## External Email

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David:

We have run the search terms per your modifications to identify responsive documents. They identified more than 50gb of emails alone (approx. 473,783 email messages, pre-duplication, around 350,000 after removing duplicates). To put this in perspective, in the *Fair Fight* litigation, our clients produced about 280,000 email messages in total and, of course, in addition to seeking discovery on similar claims as your clients are pursuing here, the Fair Fight plaintiffs pursued many more claims on other topics. In Fair Fight, completing review of those emails alone, with the additional expense of nearly

30 contract attorneys dedicated solely to document review, took a little more than three months in addition to about four months for other discovery there.

Suffice to say, the number of messages the search terms "hit" on does not appear proportional to the needs of the case, and completing review/production based on the universe of documents as it currently stands will be inordinately burdensome and take more time than we suspect you prefer. We would like to propose narrowing the search terms to avoid this issue, please let us know if you are amenable to narrowing the terms and we will propose alterations. Otherwise, we will need to prepare a joint discovery statement on scope/breadth.

Thanks

Carey A. Miller | 404.856.3286 | [ROBBINS](#)

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**From:** Cross, David D. [<mailto:DCross@mofo.com>]

**Sent:** Saturday, June 19, 2021 8:28 PM

**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@IchterDavis.com](mailto:Clichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan -

Can you please let us know when you will start rolling your production and when you expect to complete it? It's been a week since your update below, and we've not received any production from your clients.

Thanks.

DC

---

**From:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>

**Date:** Thursday, Jun 10, 2021, 8:12 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>; [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com) <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com) <[cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com)>; [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com) <[adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com)>; Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@IchterDavis.com](mailto:Clichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

**External Email**

David,

I was traveling most of the day today and will get an update for you once I can talk with folks at the office tomorrow. The search terms yielded more than 300,000 emails, most of which came from a single entry, and we are queuing up our review process on those. We have also been going through the slow process of downloading the election databases. We can produce to you tomorrow whatever databases we already have downloaded on an external drive to Halsey's office (or can overnight where you would prefer) and get the remaining ones as quickly as we can get them off the USB drives after that.

Thanks,

Bryan



**Bryan P. Tyson**

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**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Sent:** Thursday, June 10, 2021 2:29 PM

**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan -

When do you expect to start rolling your production?

We had understood that you were going to get back to us on the other issues addressed in our last correspondence. Do we understand that correctly, and if so, when can we expect that?

Thanks.  
DC

---

**From:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>  
**Date:** Monday, Jun 07, 2021, 2:13 PM  
**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com) <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com) <[cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com)>, [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com) <[adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>, Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>  
**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

### External Email

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David,

Yes. We will be producing whatever was sent back to us from the counties for the November 2020 and January 2021 elections. Those are supposed to be project packages (EMS databases) and we are in the process of downloading them from the individual USB drives the state received.

Thanks,

Bryan



**Bryan P. Tyson**

**Taylor English Duma LLP** | 1600 Parkwood Circle, Suite 200, Atlanta, GA 30339

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---

**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Sent:** Monday, June 7, 2021 1:12 PM



**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan –

Can you please confirm that these Project Packages (EMS databases) will be produced for both the October/November 2020 elections and the January 2021 Senate runoff election?

Thanks,  
DC

**DAVID D. CROSS**  
**CHAIR OF ANTITRUST LITIGATION PRACTICE**

Partner | Morrison & Foerster LLP

2100 L Street, NW, Suite 900 | Washington, DC 20037

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---

**From:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>

**Sent:** Friday, June 4, 2021 2:55 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

**External Email**

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David,

I've confirmed that the format we receive from the counties is the Project Package. The projects are sizable files (for example, Fulton's is over 30GB) and are stored on individual jump drives. We expect to be able to have them to you by

early next week and will keep you posted if that changes as they are copied from the jump drives. Of course, we will also provide you with whatever else is needed to access the files.

Thanks,

Bryan



**Bryan P. Tyson**

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**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Sent:** Friday, June 4, 2021 11:58 AM

**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan -

On 2 below, we understand that the natural way to export this data from the Dominion EMS is as something called a Project Package. If that's the native format you have in GA, we'd prefer it over JSON. We also understand that the password protection used on Project Packages is easily bypassed. If the state or counties, or anyone else, have applied any additional layers of encryption or password protection, beyond what the Dominion software does by itself, we would need those passwords or the decrypted files.

Thanks.

DC

---

**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Date:** Friday, Jun 04, 2021, 9:59 AM

**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>; [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)

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**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Checking with Dr. Halderman on 2 to confirm.

Can you also please confirm you'll produce documents in the format we requested, including with the requested metadata, going forward, per Rule 34?

---

**From:** Bryan Tyson <[bytyson@taylorenghish.com](mailto:bytyson@taylorenghish.com)>

**Date:** Friday, Jun 04, 2021, 9:48 AM

**To:** Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com) <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com) <[cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com)>, [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com) <[adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>, Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[CIchter@IchterDavis.com](mailto:CIchter@IchterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>  
**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

## External Email

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Good morning,

I had one update and a request related to this letter.

1. The expanded search terms in this letter are acceptable and we will begin running those against the extended list of custodians immediately to begin a rolling production of documents as quickly as we can.
2. David mentioned in the conference with Judge Totenberg on Wednesday that you wanted the election databases in the same format received from the counties and not in a JSON format. If you can confirm that is correct, we will be able to produce what we have from the counties by early next week at the latest.

Thanks,

Bryan



**Bryan P. Tyson**

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**From:** Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>

**Sent:** Tuesday, June 1, 2021 12:04 PM

**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Counsel,

Please see the attached correspondence. Hope everyone had an enjoyable Memorial Day weekend.

Best,  
Eileen

**EILEEN BROGAN**

Associate | Morrison & Foerster LLP

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**From:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>

**Sent:** Friday, May 21, 2021 6:48 PM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>; Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>; Drina Miller

<[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

**External Email**

David,

The search terms were originally utilized in *Fair Fight Action v. Raffensperger*, Case No. 1:18-cv-05391-SCJ. A copy of the amended complaint with all opposing counsel listed is attached. We have not conducted any separate testing of these terms against a sample, but similar terms yielded 8,825 responsive documents in *Fair Fight Action* and we will also plan to review the documents captured by the terms for responsiveness.

Secretary of State employees store all documents on a central shared server, so we will separately search that server for responsive documents, as we have in other election cases.

The list of custodians came from your letter to us, removing the individuals who are not employees of the Secretary of State's office. We do not believe there are additional individuals who would have responsive documents but will obviously comply with our obligations under the Federal Rules if we discover others during the search process.

We look forward to receiving answers to the other issues in the letter.

Thanks,

Bryan



**Bryan P. Tyson**

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**From:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>

**Sent:** Thursday, May 20, 2021 6:37 PM

**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncounttyga.gov](mailto:cheryl.ringer@fultoncounttyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>; Javier Pico-

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**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan -

Per our prior correspondence, we need more information to assess the efficacy of the proposed search terms, which we're willing to consider without waiving any rights. In particular, please provide the following by tomorrow:

- The case caption(s) and court(s) for the "prior litigation filed against the State of Georgia" for which these terms were developed, and the individual name(s) and law firm(s) of the opposing counsel in each such case who "accepted the terms as comprehensive";
- Any metrics from any testing of these terms against a robust data/document sample to assess under- and over-inclusiveness
- An explanation of whether the terms have been used for production in any other litigation and, if so, what was produced, when, to whom, for what custodians, and in what volumes

Regarding the data/documents to be searched, please confirm that you will run any search terms against each custodian's files, such as Word processing and other text searchable documents stored on their respective computers or other media, including shared sites or folders. The terms should not be run only against their Exchange mailboxes as your letter seems to indicate, as that would be much too narrow to comply with Rules 26 and 34.

Regarding document custodians, we need to understand how you arrived at that list and we need to know - per Rule 26 - the names of other employees, agents, or others with responsibility regarding Georgia's election system who may have relevant documents within your clients' possession, custody, or control.

We'll be in touch regarding the other issues in your letter.

Thanks.  
DC

---

**From:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>

**Date:** Thursday, May 20, 2021, 5:47 PM

**To:** Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>, Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov) <[cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov)>, [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com) <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com) <[cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com)>, [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com) <[adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com)>, Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>, Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>, Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>, Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>, Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>, Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>, Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>, Cary Ichter <[CIchter@IchterDavis.com](mailto:CIchter@IchterDavis.com)>, Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Melanie Johnson <[melanie.johnson@robbinsfirm.com](mailto:melanie.johnson@robbinsfirm.com)>, Javier Pico-Prats <[javier.picoprats@robbinsfirm.com](mailto:javier.picoprats@robbinsfirm.com)>, Rashmi Ahuja <[rahuja@taylorenghish.com](mailto:rahuja@taylorenghish.com)>, Drina Miller <[dmiller@taylorenghish.com](mailto:dmiller@taylorenghish.com)>, Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)



**External Email**

All:

Please find attached a letter summarizing proposed search terms and related to several other discovery issues in this case. We look forward to your response.

Thanks,

Bryan



**Bryan P. Tyson**

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**From:** Bryan Tyson

**Sent:** Monday, May 17, 2021 10:12 AM

**To:** 'Ascarrunz, Veronica' <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; James Balli <[jballi@taylorenghish.com](mailto:jballi@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[CIchter@IchterDavis.com](mailto:CIchter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Veronica,

We have already responded to those issues previously and did not respond further because they were not raised in David's letter outlining the "final positions" on outstanding discovery issues on May 11. To the extent you expect a response, our previous letters fully outline our positions on these issues and we'll be ready to fill in our portions of joint discovery statements when and if you send those our way.

Thanks,

Bryan



**Bryan P. Tyson**

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**From:** Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>

**Sent:** Friday, May 14, 2021 7:55 PM

**To:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; James Balli <[jballi@taylorenghish.com](mailto:jballi@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan,

Your letter does not address the below from David's letter to you of April 22, 2021, which we take to mean that we understand your position correctly and so will raise these issues with the Court.

We also understand that you will not produce (i) documents with appropriate metadata, (ii) Dominion EMS DVD files, (iii) any documents concerning Dominion, (iv) documents related to EMS databases, (v) any fully-configured EMS, (vi) any fully-configured ICC, or (vii) any BMD equipment or peripherals. Please let me know if that understanding is incorrect before we raise these issues with the Court, which we intend to do expeditiously if needed.

Best,

Veronica Ascarrunz

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**From:** Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>

**Sent:** Friday, May 14, 2021 5:27 PM

**To:** Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; James Balli <[jballi@taylorenghish.com](mailto:jballi@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Cichter@IchterDavis.com](mailto:Cichter@IchterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>; Josh Belinfante

<[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>

**Subject:** RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

**External Email**

All:

Please find attached State Defendants' letter responding to Mr. Cross's letter and outlining our discovery positions as we discussed.

Have a great weekend,

Bryan



**Bryan P. Tyson**

**Taylor English Duma LLP** | 1600 Parkwood Circle, Suite 200, Atlanta, GA 30339

P: 678.336.7249 | M: 404.219.3160 | [btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)

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**From:** Hedgecock, Lyle F. <[LHedgecock@mofo.com](mailto:LHedgecock@mofo.com)>

**Sent:** Tuesday, May 11, 2021 10:02 PM

**To:** Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; Bryan Tyson <[btyson@taylorenghish.com](mailto:btyson@taylorenghish.com)>; [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com); [cmiller@robbinsfirm.com](mailto:cmiller@robbinsfirm.com); [adenton@robbinsfirm.com](mailto:adenton@robbinsfirm.com); Jonathan Crumly <[jcrumly@taylorenghish.com](mailto:jcrumly@taylorenghish.com)>; James Balli <[jballi@taylorenghish.com](mailto:jballi@taylorenghish.com)>; Dal Burton <[dburton@taylorenghish.com](mailto:dburton@taylorenghish.com)>; Diane LaRoss <[dlaross@taylorenghish.com](mailto:dlaross@taylorenghish.com)>; Bryan Jacoutot <[bjacoutot@taylorenghish.com](mailto:bjacoutot@taylorenghish.com)>; Loree Anne Paradise <[lparadise@taylorenghish.com](mailto:lparadise@taylorenghish.com)>; Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>; Rob McGuire <[ram@lawram.com](mailto:ram@lawram.com)>; Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>; Halsey G. Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Adam M. Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Ascarrunz, Veronica <[VAscarrunz@mofo.com](mailto:VAscarrunz@mofo.com)>; Kaiser, Mary <[MKaiser@mofo.com](mailto:MKaiser@mofo.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Brogan, Eileen M. <[EBrogan@mofo.com](mailto:EBrogan@mofo.com)>

**Subject:** Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Mr. Tyson,

Please find attached a letter from Mr. Cross concerning discovery.

Best,

**LYLE HEDGECK**

Associate | Morrison & Foerster LLP

2100 L Street, NW, Suite 900 | Washington, DC 20037

P: +1 (202) 572-6769

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